

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION)	MDL No. 1456
)	
)	CIVIL ACTION: 01-CV-12257-PBS
THIS DOCUMENT RELATES TO 01-CV-12257-PBS AND 01-CV-339)	Judge Patti B. Saris
)	
)	Chief Mag. Judge Marianne B. Bowler

**DECLARATION OF STEVE W. BERMAN IN SUPPORT OF
MOTION TO COMPEL BMS TO ANSWER INTERROGATORIES**

Steve W. Berman, pursuant to 28 U.S.C. § 1746, declares as follows:

1. I am a member of the firm Hagens Berman LLP, one of the attorneys for plaintiffs.

2. Attached as Exhibit A is a true and correct copy of a letter I sent to counsel for BMS asking for answers to interrogatories.

3. Attached as Exhibit B is a true and correct copy of BMS' response.

3. Attached as Exhibit C is a true and correct copy of my response. No answers to the interrogatory have been provided.

I declare under penalty of perjury that the foregoing is true.

Executed this the 15th day of July, 2004, at Seattle, Washington.

/s/ Steve W. Berman
STEVE W. BERMAN

CERTIFICATE OF SERVICE

I hereby certify that I, Steve W. Berman, an attorney, caused a true and correct copy of the foregoing **DECLARATION OF STEVE W. BERMAN IN SUPPORT OF MOTION TO COMPEL BMS TO ANSWER INTERROGATORIES** to be delivered to all counsel of record by electronic service pursuant to Paragraph 11 of the Case Management Order No. 2, by sending on July 15, 2004, a copy to Verilaw Technologies for Posting and notification to all parties

By /s/ Steve W. Berman
Steve W. Berman
HAGENS BERMAN LLP
1301 Fifth Avenue, Suite 2900
Seattle, WA 98101
(206) 623-7292